

From: [Baranoski, Michael \(DEQ\)](#)
To: [Nightingale, Elizabeth](#)
Subject: RE: Alreco - Reynolds documentation?
Date: Thursday, July 10, 2014 12:22:34 PM
Attachments: [Alreco 27.pdf](#)
[Alreco 21.pdf](#)
[Alreco 22.pdf](#)
[Alreco 23.pdf](#)
[Alreco 24.pdf](#)
[Alreco 25.pdf](#)
[Alreco 26.pdf](#)

More.....

Michael Baranoski
Environmental Quality Analyst
Michigan Department of Environmental Quality
Remediation Division
Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009
Phone (269)567-3524
FAX (269)567-9440
Email: baranoskim@michigan.gov

From: Nightingale, Elizabeth [<mailto:nightingale.elizabeth@epa.gov>]
Sent: Thursday, July 10, 2014 8:46 AM
To: Hohm, Janelle (DEQ); Baranoski, Michael (DEQ)
Cc: McIntyre, Cheryl; Peaceman, Karen
Subject: RE: Alreco - Reynolds documentation?

Hi Mike and Janelle,

Does DEQ have any further documentation regarding the involvement of Reynolds Metals Company in this site? We have the summary of what was in the DEQ database about them buying it and refurbishing it in 1982 under the name of ALRECO. Do you happen to have any more info about that or documentation?

Thank you!

Betsy
Betsy Nightingale
Federal On-Scene Coordinator
US EPA
office: 734-692-7665
cell: 734-770-8402

From: Nightingale, Elizabeth
Sent: Monday, July 7, 2014 4:15 PM
To: Hohm, Janelle (DEQ); Baranoski, Michael (DEQ)
Subject: RE: Alreco - area on city water?

Perfect. Thank you!

Betsy Nightingale
Federal On-Scene Coordinator
United States Environmental Protection Agency, Region 5
9311 Groh Road
Grosse Ile, MI 48138

office: 734-692-7665
cell: 734-770-8402
fax: 734-692-7677
email: nightingale.elizabeth@epa.gov



Report spills to the National Response Center at:
-800-424-8802, or
-www.nrc.uscg.mil.

From: Hohm, Janelle (DEQ) [<mailto:HOHMJ@michigan.gov>]
Sent: Monday, July 07, 2014 12:13 PM
To: Nightingale, Elizabeth; Baranoski, Michael (DEQ)
Subject: RE: Alreco - area on city water?

Hi Betsy-

I spoke with the Benton Charter Township office. Although the property is in the City of Benton Harbor, I decided to start with the township since I saw the "Benton Charter Township" manhole covers during my site visit.

The site is served by the township drinking water system, although it is located in the city. The township's water intake is from Lake Michigan, and the pipe is a mile and a half from the shore.

The groundwater from the facility likely vents into the Paw Paw River, which is adjacent to the property. I'm not aware of any wells or water intakes that would be affected.

Janelle Hohm
Water Resources Division
Michigan Department of Environmental Quality
Kalamazoo District Office

7953 Adobe Road
Kalamazoo, Michigan 49009
269-567-3581

From: Nightingale, Elizabeth [<mailto:nightingale.elizabeth@epa.gov>]
Sent: Monday, July 07, 2014 10:04 AM
To: Hohm, Janelle (DEQ); Baranoski, Michael (DEQ)
Subject: RE: Alreco - area on city water?

Hi Janelle – No worries.

If it is relatively easy for you to do that would be great. The main thing I'm trying to determine would be if releases from the site might have the potential to impact the drinking water from wells of anyone that is nearby, and /or the surface water intake for the municipal system.

I have to have a draft plan completed by the end of the day today, so I'd need to know by then, if possible. If you don't have time, it's no problem.

Thank you!

Betsy Nightingale
Federal On-Scene Coordinator
United States Environmental Protection Agency, Region 5
9311 Groh Road
Grosse Ile, MI 48138

office: 734-692-7665
cell: 734-770-8402
fax: 734-692-7677
email: nightingale.elizabeth@epa.gov



Report spills to the National Response Center at:
-800-424-8802, or
-www.nrc.uscg.mil.

From: Hohm, Janelle (DEQ) [<mailto:HOHMJ@michigan.gov>]
Sent: Monday, July 07, 2014 10:00 AM
To: Nightingale, Elizabeth; Baranoski, Michael (DEQ)
Subject: RE: Alreco - area on city water?

Hi Betsy-

Sorry I wasn't able to respond sooner. I had to leave work last Tuesday since my son was ill, then

was out in the field and on AL for the last part of the week.

We saw manholes at the site labelled "Benton Charter Township". The site is in the City of Benton Harbor, but is adjacent to Benton Charter Twp. Most of the City is across the river, so it would make sense that the facility is served by the township utilities. I believe the site is served by water and sewer. Do you want me to look into this further?

Janelle Hohm
Water Resources Division
Michigan Department of Environmental Quality
Kalamazoo District Office
7953 Adobe Road
Kalamazoo, Michigan 49009
269-567-3581

From: Nightingale, Elizabeth [<mailto:nightingale.elizabeth@epa.gov>]
Sent: Tuesday, July 01, 2014 2:12 PM
To: Hohm, Janelle (DEQ); Baranoski, Michael (DEQ)
Subject: Alreco - area on city water?

Hi guys – I am working on writing up a proposed action to address this site, so I keep having questions today – sorry – I can't remember if I asked you this already and can't remember the answer – Janelle – this the area around the site generally on city water, that you know of?

Hope all is well.

Thanks,

Betsy

Betsy Nightingale
Federal On-Scene Coordinator
United States Environmental Protection Agency, Region 5
9311 Groh Road
Grosse Ile, MI 48138

office: 734-692-7665
cell: 734-770-8402
fax: 734-692-7677
email: nightingale.elizabeth@epa.gov



Report spills to the National Response Center at:
-800-424-8802, or
-www.nrc.uscg.mil.

From: Hohm, Janelle (DEQ) [<mailto:HOHMJ@michigan.gov>]
Sent: Friday, June 13, 2014 4:06 PM
To: Nightingale, Elizabeth
Cc: Sanders, Jerrod (DEQ); Kirk, Audrie (DEQ)
Subject: Ace Co LLC, MIS310576.pptx

Hi Betsy-

Thank you for the information you forwarded regarding the Alreco/Ace facility in Benton Harbor. My co-worker Audrie Kirk visited the facility on June 4, 2014, and found that the ash piles are migrating throughout the site. The owner responded to DEQ's Violation Notice, and committed to covering all ash piles with tarps, or other impermeable covers by April 30. He also agreed to install catch basin inserts in all catch basins within vicinity of the ash piles. At the time of Audrie's visit, the ash piles remained uncovered. Only one of the several storm drains in the vicinity of the ash piles contained a storm water insert.

WRD and the other divisions are currently coordinating an follow-up enforcement response.

Please see the attached powerpoint, which documents site conditions. We feel that an immediate response is warranted.

Thanks,

Janelle Hohm

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ALRECO METALS, INC.,

Case No. GK 95-86552
(Chapter 11)

Debtor.

NOTICE OF RIGHT TO DEMAND HEARING, ABANDONMENT
OF PROPERTY, AND ORDER DISALLOWING
SECURED CLAIMS

U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
CLERK

99 NOV -2 PH 2:22

FILED

Debtor Alreco Metals, Inc., in accordance with its confirmed plan of reorganization, intends to abandon the property described on attached Exhibit A which is either burdensome or of inconsequential value to the estate.

IN ACCORDANCE with Section 541 the above property will be deemed abandoned on the sixteenth (16) day after the date of service shown below, unless a written objection to the abandonment and request for hearing on the objection is filed with the U.S. Bankruptcy Court, Western District of Michigan, P. O. Box 3310, Grand Rapids, Michigan 49501, prior to that date. In the event an objection and request for hearing is filed, a date and place of hearing will be set and further notice given to interested parties.

IT IS REQUESTED that a copy of this Notice be returned to Miller, Johnson, Snell & Cumiskey, P.L.C., P. O. Box 306, Grand Rapids, Michigan 49501-0306, attention: Thomas P. Sarb, to be served upon all parties in interest listed in the court records.

MILLER, JOHNSON, SNEEL & CUMISKEY, P.L.C.
Attorneys for Alreco Metals, Inc.

By Thomas P. Sarb
Thomas P. Sarb (P27520)

Business Address:
800 Calder Plaza Building
Grand Rapids, MI 49503
Telephone: 616/831-1748

IT IS HEREBY ORDERED that if no objection to the abandonment is filed as provided above, without further order of this court, any secured claim now filed claiming a security interest in the above property is disallowed because of the abandonment. Such secured creditors will have thirty (30) days from the date of service indicated below to file a proof of claim as an unsecured creditor, provided such creditor is entitled to assert a claim for the unpaid balance following repossession of the security, or such creditor may file its estimated deficiency claim within that time subject to amendment prior to closing of the estate showing exact deficiency balance due.

Date served: 11-10, 1999

Clerk David M. White

→ File Alreco Metals, Berrien Co.

Exhibit A

That part of the East half of Section 7 and part of the West half of Section 8, Township 4 South, Range 18 West, City of Benton Harbor, Berrien County, Michigan, described as: Beginning at a point on the East and West quarter line of said Section 8 that is 424.27 feet S89°08'57"E of the quarter corner common to said Sections 7 and 8, thence S30°32'37"W 1006.75 feet to a meander point, thence S87°05'41"W on a meander line 96.17 feet, thence S48°41'32"W 234.92 feet, thence S20°17'28"W 442.29 feet, thence N51°27'49"W 190.68 feet, thence N75°58'59"W 188.10 feet, thence S64°21'58"W all on said meander line 280.53 feet to the easterly right of way line of the Chesapeake & Ohio Railroad, thence N30°32'37"E on said Easterly right of way line 1529.98 feet, thence S37°30'33"E 15.85 feet, thence S48°55'16"E 15.35 feet, thence Southeastely 87.10 feet on a 45.46 foot radius curve to the left whose chord bears S37°42'24"E 74.38 feet, thence S47°19'58"E 56.42 feet, thence S60°08'39"E 23.84 feet, thence N18°55'30"E 20.61 feet, thence S59°22'55"E 122.25 feet, thence N30°45'22"E 29.27 feet, thence S59°38'44"E 39.14 feet, thence N30°16'33"E 54.98 feet, thence N59°21'27"W 20.42 feet, thence N30°33'06"E 54.52 feet, thence S58°59'32"E 44.95 feet, thence N45°37'21"E 53.31 feet, thence N80°57'16"E 136.36 feet, thence N83°55'36"E 28.73 feet, thence Northeastely 63.86 feet on a 64.47 foot radius curve to the left whose chord bears N57°31'16"E 61.28 feet, thence N30°32'54"E 30.08 feet, thence S59°09'47"E 24.10 feet, thence N31°10'29"E 59.65 feet, thence S59°36'27"E 1.97 feet, thence N30°53'44"E 6.92 feet, thence N57°56'43"W 25.99 feet, thence N31°08'02"E 196.67 feet, thence Northeastely 75.84 feet on a 101.76 foot radius curve to the left whose chord bears N13°08'39"E 74.09 feet, thence S59°42'12"E 165.23 feet, thence N02°44'56"W 90.20 feet, thence N06°29'37"W 51.29 feet, thence N56°04'15"W 55.66 feet, thence N75°18'52"W 84.91 feet, thence S84°37'06"W 13.55 feet, thence N05°26'06"E 28.33 feet, thence N02°22'07"W 30.91 feet, thence N10°48'44"W 40.01 feet, thence N20°37'52"W 84.78 feet, thence N30°07'38"W 43.45 feet, thence N59°34'31"W 58.59 feet, thence N27°26'00"W 36.96 feet, thence N30°21'56"E 25.00 feet, thence N40°07'52"W 52.65 feet, thence N59°34'44"W 150.69 feet to said Easterly right of way line, thence N30°32'37"E on said Easterly right of way line 85.58 feet, thence S88°10'00"E 1087.38 feet, thence S00°38'00"W 827.04 feet to the East and West quarter line of said Section 8, thence N89°08'57"W on said East and West quarter line 878.29 feet to the point of beginning. Also all the land lying between the meander lines and the centerline of the Paw Paw River and between the meander line and the centerline of the old or former channel of the Paw Paw River. Containing 36.19 acres more or less. Subject to easements and restrictions of record, including, but not limited to, storm water drainage granted to Tobian Metals, Inc.

ALSO TOGETHER WITH a 50.00 foot wide easement for storm drainage purposes in the Southwest Quarter of said Section 8, whose centerline is described as: Commencing at the West Quarter corner of said Section 8, thence South 89°08'57"E East on the East and West Quarter line of said Section 8, a distance of 115.86 feet, thence South 20°34'39"E East 131.67 feet to the point of beginning of the centerline herein described, thence continuing South 20°34'39"E East 176.91 feet to the point of ending. The side lines of said easement are to be extended or shortened to terminate at a line that bears South 80°57'16"W West from the point of beginning.

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

RECEIVED ERD-G. R.

IN RE:

OCT - 8 1998

ALRECO METALS, INC.,

Case No. GK 95-86552
(Chapter 11)

FILE _____

CO. _____

SUBFILE _____

Debtor.

**NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST OF
SIXTH PETITION OF MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C. FOR
INTERIM COMPENSATION AS ATTORNEYS FOR THE DEBTOR
PURSUANT TO RULE 2016 & NOTICE OF THE RIGHT TO OBJECT**

NOTICE IS HEREBY GIVEN that the following professional persons have made application to the Bankruptcy Court for allowance of fees and expenses as listed below:

<u>Professional</u> (Name & Address)	Fees Requested	Expenses Requested	Fees & Expenses Previously Allowed by Court
Miller, Johnson, Snell & Cummiskey, P.L.C. 800 Calder Plaza Bldg. Grand Rapids, MI 49503	\$7,057.00	\$2,390.23	\$208,468.00

No hearing will be set before the Court unless a written objection to this application is timely filed with the Clerk of the Bankruptcy Court. You have twenty (20) days from the date of service of this notice in which to file a written objection if you oppose the application. In the event an objection is filed, a subsequent notice will inform you of the date, time and location of the hearing on the objection.

If you file a written objection, the original should be sent to:

United States Bankruptcy Court
PO Box 3310
Grand Rapids, MI 49501-3310

And a copy should be sent to:

Thomas P. Sarb
Miller, Johnson, Snell & Cummiskey, P.L.C.
PO Box 306
Grand Rapids, MI 49501-0306

The documents supporting this application are on file with the Clerk's Office located in Grand Rapids, Michigan, for public scrutiny from 8:00 a.m. to 4:30 p.m., Monday through Friday.

Date of Service: 10-7-98

RECEIVED

Thomas P. Sarb (P27520)

OCT 12 1998

ERD - Plainwell

File ALRECO Metals, Berrien County

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ALRECO METALS, INC.,

Case No. GK 95-86552
(Chapter 11)

Debtor.



**NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST OF
SEVENTH PETITION OF MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C. FOR
INTERIM COMPENSATION AS ATTORNEYS FOR THE DEBTOR
PURSUANT TO RULE 2016 & NOTICE OF THE RIGHT TO OBJECT**

NOTICE IS HEREBY GIVEN that the following professional persons have made application to the Bankruptcy Court for allowance of fees and expenses as listed below:

<u>Professional</u> (Name & Address)	<u>Fees</u> Requested	<u>Expenses</u> Requested	<u>Fees & Expenses Previously</u> <u>Allowed by Court</u>
Miller, Johnson, Snell & Cummiskey, P.L.C. 800 Calder Plaza Bldg. Grand Rapids, MI 49503	\$6,080.00	\$296.36	\$215,525.00

No hearing will be set before the Court unless a written objection to this application is timely filed with the Clerk of the Bankruptcy Court. You have twenty (20) days from the date of service of this notice in which to file a written objection if you oppose the application. In the event an objection is filed, a subsequent notice will inform you of the date, time and location of the hearing on the objection.

If you file a written objection, the original should be sent to:

United States Bankruptcy Court
PO Box 3310
Grand Rapids, MI 49501-3310

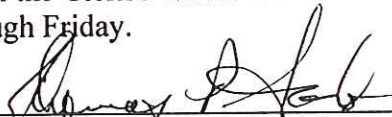


And a copy should be sent to:

Thomas P. Sarb
Miller, Johnson, Snell & Cummiskey, P.L.C.
PO Box 306
Grand Rapids, MI 49501-0306

The documents supporting this application are on file with the Clerk's Office located in Grand Rapids, Michigan, for public scrutiny from 8:00 a.m. to 4:30 p.m., Monday through Friday.

Date of Service: 9-3-99


Thomas P. Sarb (P27520)

NOTICE TO CREDITORS AND INTERESTED PARTIES

Re: Alreco Metals, Inc.
GK 95-86552

A petition has been filed with the Bankruptcy Court to issue a final decree in the above-noted chapter 11 case. A plan of reorganization has been approved by the court, and the plan has been substantially consummated by the payment of those payments which are required to be paid immediately upon confirmation.

Although issuance of a final decree is being requested, this does not mean that all payments have been made to all creditors. Payments which are required to be made by terms of the plan of reorganization must still be made and the final decree does not affect this continuing obligation.

Objections to entry of the final decree in this case may be filed with the court and served upon counsel for the Debtor, Thomas P. Sarb, Miller, Johnson, Snell & Cumiskey, PLC, PO Box 306, Grand Rapids, Michigan 49501-0306 within 20 days of the date listed below. If an objection is filed, a hearing will be set by the court to consider the objection to entry of the decree and notice will be given of the hearing. If no objection is filed, the final decree may be entered by the court with no further notice.

Date served: November 8, 1999 ALRECO METALS, INC.
Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ALRECO METALS, INC.,

Case No. GK 95-86552
(Chapter 11)

Debtor.

EXHIBIT B TO FINAL REPORT
PAYMENTS TO CREDITORS
(As of November 30, 1998)

Priority Tax Creditors		Claim Amount
City of Benton Harbor	\$164,177.65	
Benton Township	\$ 1,239.66	
Benton County	\$ 1,137.79	
Unemployment Taxes (State and Federal)	\$ 8,354.69	
Total		\$174,909.79
Priority Wage Claims ¹		Claim Amount
Richard Koke	\$414.39	
Tim Woldt	\$199.87	
Todd Romkema	\$46.20	
Richard Milnes	<u>\$57.25</u>	
Total		\$717.71

¹ The Debtor also paid, pursuant to Court Order, approximately \$120,500 in accrued vacation pay (including deductions for state and federal withholding, FUTA, social security, etc.) to its union and non-union employees. Approximately twenty-five percent of this amount would have constituted priority wage claims under §507(a)(3) of the Bankruptcy Code. Additionally, any amount paid pursuant to a collective bargaining agreement was arguably a priority wage claim under §1113 of the Bankruptcy Code.

Secured Creditors

Claim Amount

Fleet	\$12,026,636.16
RMC of Michigan, Inc.	
Inventory & Receivables Note	\$ 1,796,936.01
Real Estate & Equipment Note	\$ 265,423.75
Southshore Enterprises, Inc./Southshore Distribution, Inc.	<u>\$ 3,521.63</u>

Total

\$14,092,517.95

Reclamation Creditors

Enterprise Iron & Metal	\$5,615.94
Fuel Metals	\$50,940.00
Productive Metals	\$6,700.00
Sturgis Iron & Metal (South Bend Scrap)	\$16,044.60
Wilmington Iron & Metal	\$16,965.96
Wolf-Lipson	<u>\$24,243.00</u>

Total

\$120,509.50

Unsecured Creditors²

Total	\$1,213,367.00	(10.8% of allowed claims)
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² A list of the individual unsecured creditors, their respective claims and distributions is attached to the Court's Order Approving the Debtor's Motion to Authorize Initial Distribution, etc., dated April 30, 1998.

RECEIVED

NOV 12 1999

ERD - Plainwell

NOTICE TO CREDITORS AND INTERESTED PARTIES

Re: Alreco Metals, Inc.
GK 95-86552

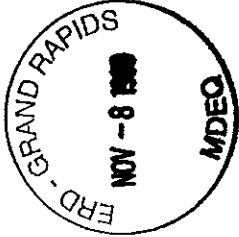
A petition has been filed with the Bankruptcy Court to issue a final decree in the above-noted chapter 11 case. A plan of reorganization has been approved by the court, and the plan has been substantially consummated by the payment of those payments which are required to be paid immediately upon confirmation.

Although issuance of a final decree is being requested, this does not mean that all payments have been made to all creditors. Payments which are required to be made by terms of the plan of reorganization must still be made and the final decree does not affect this continuing obligation.

Objections to entry of the final decree in this case may be filed with the court and served upon counsel for the Debtor, Thomas P. Sarb, Miller, Johnson, Snell & Cumiskey, PLC, PO Box 306, Grand Rapids, Michigan 49501-0306 within 20 days of the date listed below. If an objection is filed, a hearing will be set by the court to consider the objection to entry of the decree and notice will be given of the hearing. If no objection is filed, the final decree may be entered by the court with no further notice.

Date served: November __, 1999 ALRECO METALS, INC.
Debtor

272794v1 01467-001 11/09



UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ALRECO METALS, INC.,

Debtor.

Case No. GK 95-86552
(Chapter 11)

PETITION FOR ENTRY OF A FINAL DECREE

Alreco Metals, Inc. ("Debtor"), which was appointed disbursing agent by this Court, petitions this Court as follows:

1. A final report and account has been filed in this case.

2. All creditors and all administrative expenses which are required to be paid by this date have been paid by the Debtor pursuant to its Plan of Reorganization ("Plan"), which Plan was confirmed by this Court on September 5, 1996.

3. The Plan of the Debtor is substantially consummated. Although all payments required by the Plan have not been completed, Debtor is current with all payments and other requirements under the confirmed Plan and anticipates making a final distribution in the near future.

4. A copy of the Final Report is attached to this Petition.

WHEREFORE, the petitioner requests this Court to issue a final decree pursuant to Bankruptcy Rule 3022 and Local Rule 3022 closing this case.

ALRECO METALS, INC.,

Date: October 11, 1999

By Gregory R. Palen
Its Chief Executive Officer

466187v1 01467-001 9/30/99

File → Alreco / bias

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ALRECO METALS, INC.,

Case No. GK 95-86552
(Chapter 11)

Debtor.

NOTICE OF RIGHT TO DEMAND HEARING, ABANDONMENT
OF PROPERTY, AND ORDER DISALLOWING
SECURED CLAIMS

U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
CLERK

99 NOV -2 PM 2:22

FILED

Debtor Alreco Metals, Inc., in accordance with its confirmed plan of reorganization, intends to abandon the property described on attached Exhibit A which is either burdensome or of inconsequential value to the estate.

IN ACCORDANCE with Section 541 the above property will be deemed abandoned on the sixteenth (16) day after the date of service shown below, unless a written objection to the abandonment and request for hearing on the objection is filed with the U.S. Bankruptcy Court, Western District of Michigan, P. O. Box 3310, Grand Rapids, Michigan 49501, prior to that date. In the event an objection and request for hearing is filed, a date and place of hearing will be set and further notice given to interested parties.

IT IS REQUESTED that a copy of this Notice be returned to Miller, Johnson, Snell & Cumiskey, P.L.C., P. O. Box 306, Grand Rapids, Michigan 49501-0306, attention: Thomas P. Sarb, to be served upon all parties in interest listed in the court records.

MILLER, JOHNSON, SNELL & CUMISKEY, P.L.C.
Attorneys for Alreco Metals, Inc.

By Thomas P. Sarb
Thomas P. Sarb (P27520)

Business Address:
800 Calder Plaza Building
Grand Rapids, MI 49503
Telephone: 616/831-1748

IT IS HEREBY ORDERED that if no objection to the abandonment is filed as provided above, without further order of this court, any secured claim now filed claiming a security interest in the above property is disallowed because of the abandonment. Such secured creditors will have thirty (30) days from the date of service indicated below to file a proof of claim as an unsecured creditor, provided such creditor is entitled to assert a claim for the unpaid balance following repossession of the security, or such creditor may file its estimated deficiency claim within that time subject to amendment prior to closing of the estate showing exact deficiency balance due.

Date served: 11-10, 1999

Clerk: David M. Little

→ File Alreco Metals, Berrien Co.

Exhibit A

That part of the East half of Section 7 and part of the West half of Section 8, Township 4 South, Range 18 West, City of Benton Harbor, Berrien County, Michigan, described as: Beginning at a point on the East and West quarter line of said Section 8 that is 424.27 feet S89°08'57"E of the quarter corner common to said Sections 7 and 8, thence S30°32'37"W 1006.75 feet to a meander point, thence S87°05'41"W on a meander line 96.17 feet, thence S48°41'32"W 234.92 feet, thence S20°17'28"W 442.29 feet, thence N51°27'49"W 190.68 feet, thence N75°58'59"W 188.10 feet, thence S64°21'58"W all on said meander line 280.53 feet to the easterly right of way line of the Chesapeake & Ohio Railroad, thence N30°32'37"E on said Easterly right of way line 1529.98 feet, thence S37°30'33"E 15.85 feet, thence S48°55'16"E 15.35 feet, thence Southeastly 87.10 feet on a 45.46 foot radius curve to the left whose chord bears S37°42'24"E 74.38 feet, thence S47°19'58"E 56.42 feet, thence S60°08'39"E 23.84 feet, thence N18°55'30"E 20.63 feet, thence S59°22'55"E 122.25 feet, thence N30°45'22"E 29.27 feet, thence S59°38'44"E 39.14 feet, thence N30°16'33"E 54.98 feet, thence N59°21'27"W 20.42 feet, thence N30°33'06"E 54.52 feet, thence S58°59'32"E 44.95 feet, thence N45°37'21"E 53.31 feet, thence N80°57'16"E 136.36 feet, thence N83°55'36"E 28.73 feet, thence Northeastly 63.86 feet on a 64.47 foot radius curve to the left whose chord bears N57°31'16"E 61.28 feet, thence N30°32'54"E 30.08 feet, thence S59°09'47"E 24.10 feet, thence N31°10'29"E 59.65 feet, thence S59°36'27"E 1.97 feet, thence N30°53'44"E 6.92 feet, thence N57°56'43"W 25.99 feet, thence N31°08'02"E 196.67 feet, thence Northeastly 75.84 feet on a 101.76 foot radius curve to the left whose chord bears N13°08'39"E 74.09 feet, thence S59°42'12"E 165.23 feet, thence N02°44'56"W 90.20 feet, thence N06°29'37"W 51.29 feet, thence N56°04'15"W 55.66 feet, thence N75°18'52"W 84.91 feet, thence S84°37'06"W 13.55 feet, thence N05°26'06"E 28.33 feet, thence N02°22'07"W 30.91 feet, thence N10°48'44"W 40.01 feet, thence N05°26'06"E 28.33 feet, thence N30°07'38"W 43.45 feet, thence N59°34'31"W 58.59 feet, thence N27°26'00"W 36.96 feet, thence N30°21'56"E 25.00 feet, thence N40°07'52"W 52.65 feet, thence N59°34'44"W 150.69 feet to said Easterly right of way line, thence N30°32'37"E on said Easterly right of way line 85.58 feet, thence S88°10'00"E 1087.38 feet, thence S00°38'00"W 827.04 feet to the East and West quarter line of said Section 8, thence N89°08'57"W on said East and West quarter line 878.29 feet to the point of beginning. Also all the land lying between the meander lines and the centerline of the Paw Paw River and between the meander line and the centerline of the old or former channel of the Paw Paw River. Containing 36.19 acres more or less. Subject to easements and restrictions of record, including, but not limited to, storm water drainage granted to Tobian Metals, Inc.

ALSO TOGETHER WITH a 50.00 foot wide easement for storm drainage purposes in the Southwest Quarter of said Section 8, whose centerline is described as: Commencing at the West Quarter corner of said Section 8, thence South 89°08'57"E East on the East and West Quarter line of said Section 8, a distance of 115.86 feet, thence South 20°34'39"E East 131.67 feet to the point of beginning of the centerline herein described, thence continuing South 20°34'39"E East 176.91 feet to the point of ending. The side lines of said easement are to be extended or shortened to terminate at a line that bears South 80°57'16"W West from the point of beginning.